

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	EDCV 10-230 ODW(DTBx)	Date	December 27, 2010
Title	Mary Ingebrand-Pohlad v. Edenhurst Gallery		

Present:	The Honorable Otis D. Wright II, United States District Judge
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Raymond Neal	Not Present	n/a
Deputy Clerk	Court Reporter	Tape No.

Attorneys Present for Plaintiff(s):

Not Present

Attorneys Present for Defendant(s):

Not Present

Proceedings (IN CHAMBERS): **Order to Show Cause re Dismissal for Failure to Comply With the Court's Scheduling and Case Management Order; Order Continuing Pretrial Conference**

On May 12, 2010 the Court issued its Scheduling and Case Management Order [19], which set forth a schedule of pretrial hearing dates and deadlines, in particular the date by which pretrial documents must be lodged/filed. These dates were most recently modified in the order at docket entry [22].

The Court's Scheduling and Case Management Order includes the following caveat: **“If counsel fail to file the required Pre-Trial documents or fail to appear at the Pre-Trial Conference and such failure is not otherwise satisfactorily explained to the Court: (a) the cause shall stand dismissed for failure to prosecute if such failure occurs on the part of the plaintiff; (b) default judgment shall be entered if such failure occurs on the part of the defendant; or (c) the Court may take such action as it deems appropriate.”**

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The parties in this case have failed to comply with the Scheduling and Case Management Order. To date, no pretrial documents have been lodged/filed with the Court.

Accordingly, the Court orders the parties to show cause in writing on or before **Friday, January 7, 2011** why this action should not be dismissed for failure to comply with the Scheduling and Case Management Order. Instead of a written response, the Court will consider the following an appropriate response to its Order to Show Cause: filing/lodging of pretrial documents as set forth in the Scheduling and Case Management Order on or before **Friday, January 7, 2011**. If the parties have settled this case, the Court will accept a Notice of Settlement **that includes a date by which the parties expect settlement to be finalized**.

No oral argument of this matter will be heard unless ordered by the Court. The Order will stand submitted upon the filing of a responsive pleading or filing on or before the date upon which a response by the parties is due.

The Pretrial Conference presently scheduled for January 3, 2011 at 2:30 p.m., is hereby **CONTINUED to Monday, January 24, 2011 at 2:30 p.m.** Motions In Limine, Proposed Voir Dire Questions and an Agreed-to Statement of the Case remain due on **Monday, January 3, 2011**.

IT IS SO ORDERED.

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Initials of Preparer RGN